

SENATE BILL 952

By McNally

AN ACT to amend Tennessee Code Annotated, Title 56  
and Title 63, relative to health insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is  
amended by adding the following as a new section:

56-7-2369.

(a) No health insurance issuer and no managed health insurance issuer  
may:

(1) Deny any provider of durable medical equipment the right to  
participate as a participating provider in any policy, contract or plan on the  
same terms and conditions as are offered to any other provider of durable  
medical equipment services under the policy, contract or plan; provided,  
that nothing in this subdivision (a)(1) shall prohibit a managed health  
insurance issuer or health insurance issuer from establishing rates or fees  
that may be higher in non-urban areas, or in specific instances where a  
managed health insurance issuer or health insurance issuer determines it  
necessary to contract with a particular provider in order to meet network  
adequacy standards or patient care needs; and

(2) Prevent any person who is a party to or beneficiary of any  
policy, contract or plan from selecting a durable medical equipment  
provider of the person's choice to furnish the durable medical equipment  
services offered under any contract, policy or plan; provided, that the  
durable medical equipment provider is a participating provider under the

same terms and conditions of the contract, policy or plan as those offered any other provider of durable medical equipment services.

(b) For the purpose of this section, "durable medical equipment" means such term as it is defined in § 67-6-102.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.